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ATTORNEYS FOR PLAINTIFF

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

POWER COMPONENT SALES CO.	:	CIVIL ACTION
	:	
	:	
	:	
v.	:	NO: 02-2740
	:	
	:	
SST BEARING CORPORATION	:	JURY TRIAL DEMANDED

**ANSWER OF PLAINTIFF TO DEFENDANT'S NEW MATTER  
AND COUNTERCLAIM**

Plaintiff, Power Component Sales Co. through its attorneys, files the following Answer to Defendant's New Matter and Counterclaim:

1. Defendant's second through thirteenth defenses are denied.
2. Defendant's fourteenth defense is denied as being an improper reservation of rights. Plaintiff denies that defendant has the right to assert additional defenses and counterclaims unless allowed by the Court and reserves the right to move to strike any such additional pleadings.
3. Paragraph 50 of Defendant's Answer and Counterclaim is admitted.
4. Paragraph 51 of Defendant's Answer and Counterclaim is denied. On the

contrary, Beiler Hydraulics cancelled the order by notifying defendant of such cancellation in or about April, 1998. Despite such cancellation, defendant shipped the bearings to its customer on or about August 1998. That shipment was refused by customer, Beiler Hydraulics and plaintiff's salesman picked up the order with the intention of sending it back to defendant. However, defendant, despite the fact that it had improperly shipped the order after the order had been cancelled, refused to accept the returned order from plaintiff. Plaintiff still holds this order and is prepared to ship it to defendant at any time.

5. Paragraph 52 of Defendant's Answer and Counterclaim is denied.
6. Paragraph 53 of Defendant's Answer and Counterclaim is denied.

**NEW MATTER**

7. Defendant's Counterclaim is barred by the applicable Statute of Limitations.

WHEREFORE, Plaintiff respectfully requests that this Court dismiss defendant's affirmative defenses and enter Judgment in favor of plaintiff on defendant's Counterclaim as well as awarding costs and attorney's fees and such other relief as the Court deems appropriate to plaintiff as a result of the filing of said affirmative defenses and Counterclaim.

Respectfully submitted,

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Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I, Mitchell A. Kramer, attorney for Plaintiff , hereby certify that I have this date served a true and correct copy of Answer of Plaintiff to Defendant's New Matter and Counterclaim by first class mail on counsel for defendant as follows:

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Dated: \_\_\_\_\_